

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**JOHN ROBERT DEMOS, JR.,
Petitioner,**

v.

Case No. 04C0898

**UNITED STATES OF AMERICA,
Respondent.**

DECISION AND ORDER

Before me now is a "Motion For Declaratory Ruling" filed by John Robert Demos. This motion was docketed under the above case number, which has been closed for over four years. The motion itself consists of four hypothetical questions of law, which Mr. Demos asks the court to answer in a declaratory judgment pursuant to 28 U.S.C. § 2201, without any statements of the factual bases for those questions. However, I do not have the authority to answer abstract legal questions that do not stem from a case of actual controversy. Calderon v. Ashmus, 523 U.S. 740, 745-47 (1998). As Mr. Demos has not provided any facts presenting such a case, I will deny his motion.

IT IS THEREFORE ORDERED that Mr. Demos's Motion for Declaratory Ruling is **DENIED**.

Dated at Milwaukee, Wisconsin this 3 day of December, 2008.

/s

LYNN ADELMAN
District Judge